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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 ERIC ALLEN RIES,

7 Petitioner,

8 v.

9 JEFFREY A UTTECHT,

10 Respondent.

Case No. C19-5720-RBL-TLF

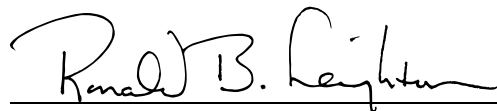
ORDER ADOPTING REPORT AND  
RECOMMENDATION

11 THIS MATTER is before the Court on Magistrate Judge Fricke's Report and  
12 Recommendation [Dkt. # 6], recommending that the Court deny petitioner's federal *habeas*  
13 *corpus* petition without prejudice:

- 14 (1) The Magistrate Judge's report and recommendation is approved and ADOPTED;  
15 (2) Petitioner's federal habeas corpus petition (Dkt. 3) is DISMISSED without  
16 prejudice for failure to exhaust state court remedies; and  
17 (3) A certificate of appealability is DENIED; and  
18 (4) The Clerk is directed to close this case and to send copies of this Order to the  
19 parties and to Magistrate Judge Theresa L. Fricke.

20 IT IS SO ORDERED.

21 Dated this 1<sup>st</sup> day of November, 2019.

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23 Ronald B. Leighton  
24 United States District Judge  
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